

Reply to Office Action dated December 17, 2009

REMARKS

Claims 1, 3-4, 6, 8-11, 13 and 22-24 are pending in this application. By this Amendment, claim 1 is amended. Various amendments may be made for clarity and are unrelated to issues of patentability.

Applicant gratefully acknowledges the courtesies extended by Examiner Schnurr during the telephonic interview on March 4, 2010 with applicant's representative, Mr. Oren. The substance of the interview is incorporated into the following remarks.

Entry of the amendments is proper under 37 C.F.R. §1.116 because the amendments: (1) place the application in condition for allowance; (2) do not raise any new issues requiring further search and/or consideration; and/or (3) place the application in better form for appeal, should an appeal be necessary. The above amendments are merely for clarity of previously-claimed subject matter. Entry is thus proper under 37 C.F.R. §1.116.

The Office Action rejects the claims under 35 U.S.C. §103(a) over U.S. Patent 7,003,790 to Inoue et al. (hereafter Inoue) in view of newly-cited U.S. Patent Publication 2002/0056087 to Berezowski et al. (hereafter the Berezowski Publication), either alone or in combination with one of U.S. Patent 7,006,881 to Hoffberg et al. (hereafter Hoffberg), U.S. Patent 6,184,918 to Goldschmidt Iki et al. (hereafter Goldschmidt Iki) and/or U.S. Patent 5,416,693 to Yoshinari. The rejections are respectfully traversed with respect to the pending claims.

Independent claim 1 recites that a consumption behavior recorder comprises a normal finish record area for recording information regarding whether the user has viewed the entire content to an end at a normal speed, a stopped record area for recording section information

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regarding a stopped action made by the user during a middle of the content, the section information regarding the stopped action including a stop point indicator relative to the content, a skimmed record area for recording section information regarding a skimmed action made on the content, and a skipped record area for recording section information regarding a skipped action made on the content, wherein the stopped action, the skimmed action and the skipped action are each different actions. Independent claim 1 also recites that the normal finish record area stores a flag value indicating whether a user watched a content from a beginning to an end at a normal speed, and a frequency of the normal finish action based on the flag value, the stopped record area stores a stop point indicator indicating the latest stopped point in the middle of the content, and a frequency of the stopped action based on the stop point indicator, the skimmed record area stores a section start/end information or a section start/length information relating to a section having the skimmed action, and a frequency of the skimmed action based on the section start/end information or the section start/length information, and the skipped record area stores a section start/end information or a section start/length information relating to a section having the skipped action, and a frequency of the skipped action based on the section start/end information or the section start/length information. Independent claim 1 also recites that the normal finish record area, the stopped record area, the skimmed record area and the skipped record area include an area for storing the frequency of an action per section.

The applied references do not teach or suggest at least these features of independent claim 1. More specifically, Inoue and the Berezowski Publication do not teach or suggest that the normal finish record area stores a flag value indicating whether a user watched a content from a

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beginning to an end at a normal speed, the stopped record area stores a stop point indicator indicating a latest stopped point in the middle of the content, the skimmed record area stores a section start/end information or a section start/length information relating to a section having the skimmed action, and the skipped record area stores a section start/end information or a section start/length information relating to a section having the skipped action.

The Office Action (on pages 3-4) states that Inoue does not teach or suggest a normal finish record area, a stopped record area and a skimmed record area. The Office Action then cites the Berezowski Publication's paragraph [0052], [0083], [0086], [0095], [0099], [0102] and [0103] for the missing features. However, this does not teach or suggest a flag value indicating whether a user watched a content from a beginning to an end at a normal speed, a stop point indicator indicating a latest stopped point in the middle of the content, a section start/end information or a section start/length information relating to a section having the skimmed action, and a section start/end information or a section start/length information relating to a section having the skipped action.

The presently claimed features are supported by Korean Application No. 2002-85755, filed December 29, 2000 (hereafter the Korean priority document). See the verified English language translation of the Korean priority document that was submitted on March 17, 2008. The Korean priority document predates the March 30, 2001 filing date of the Berezowski Publication.

The Berezowski Publication claims priority from U.S. Provisional Application 60/193,952, filed March 31, 2000 (hereafter the Berezowski Provisional Application). As

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discussed during the telephonic interview, the Berezowski Provisional Application does not support the subject matter of paragraphs [0083], [0086], [0095], [0099], [0102] and [0103] (from the Berezowski Publication).

As discussed during the telephonic interview, the Berezowski Provisional Application does not teach or suggest a flag value indicating whether a user watched a content from a beginning to an end at a normal speed, a stop point indicator indicating a latest stopped point in the middle of the content, a section start/end information or a section start/length information relating to a section having the skimmed action, and a section start/end information or a section start/length information relating to a section having the skipped action, as recited in independent claim 1.

Inoue, the Berezowski Publication and the Berezowski Provisional Application also do not teach or suggest that the normal finish record area, the stopped record area, the skimmed record area and the skipped record area include an area for storing the frequency of an action per section, as recited in independent claim 1.

For at least these reasons, Inoue, the Berezowski Publication and the Berezowski Provisional Application do not teach or suggest all the features of independent claim 1. Hoffberg, Goldschmidt Iki and Yoshinari do not teach or suggest the missing features of independent claim 1. Thus, independent claim 1 defines patentable subject matter.

Each of the dependent claims depends from independent claim 1 and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

Serial No. **10/025,920**

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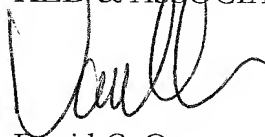
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CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1, 3-4, 6, 8-11, 13 and 22-24 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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